

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 1:22-cv-21130-BB

JOSE TELLERIA,

Plaintiff,

v.

AZTLAN FOODS, CORP.,

And EVI, INC.,

Defendants.

DEFENDANTS' RESPONSE TO PLAINTIFF'S
MOTION FOR WRIT OF EXECUTION

Defendants, AZTLAN FOODS, CORP. and EVI, INC. ("Defendants"), by and through their undersigned counsel hereby file their Response to Plaintiff's Motion For Writ Of Execution and would show:

1. While the rules may not mandate communication with counsel prior to filing the motion, common courtesy would be appropriate.
2. Defendants assert the motion is now moot as the attached check in the full amount has been issued and will be delivered to counsel tomorrow, April 14, 2023, assuming, given the weather, that Plaintiff's counsel's firm is open for business. The check is for the full stated amount of the fees and costs (\$18,517.07) assessed by this Court in its April 4, 2023, Order [ECF No. 66].
3. A copy of the check has been emailed to counsel for Plaintiff.

WHEREFORE, Defendants request that the Court deny the Motion for Writ of Execution.

Dated: April 13, 2023.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of April, 2023 I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

s/ Charles Eiss
CHARLES EISS, ESQ.

SERVICE LIST

**United States District Court
Southern District of Florida**
Telleria v. Aztlan Foods, Corp., et al
CASE NO. 1:22-cv-21130-BB

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Method of Service: CM/ECF